



**BOARD OF SUPERVISORS
OF
MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control
District, Library District, Stadium District,
Improvement Districts and/or Board of Deposit)

**Formal Meeting Agenda
Supplemental**

**Wednesday, December 19, 2007
9:00 a.m.**

**Supervisors' Auditorium
205 West Jefferson
Phoenix, Arizona**

S U P P L E M E N T A L

New Items

Sheriff

S-1. AMENDMENT TO IGA FOR LAW ENFORCEMENT SERVICES WITH TOWN OF QUEEN CREEK

Approve Amendment No. 1 to the Intergovernmental Agreement for Law Enforcement Services between the Town of Queen Creek and Maricopa County Sheriff's Office to: 1) increase service from 4 beats to 5 beats plus two transportation deputies effective January 1, 2008, 2) address disposition of vehicles purchased by the Town for use in the contract, and 3) acknowledge provision of space by the Town to house those that deliver Sheriff's Office law enforcement service.

Approval of this amendment will raise the FY 2008 annualized value of the contract to \$4,083,657, which includes additional one-time vehicle and equipment purchases totaling \$245,699. This amendment is effective January 1, 2008 or as soon thereafter that service can be provided. The new monthly payment, \$319,829.80, billable by County Finance, will be pro-rated monthly according to level of service provided throughout any ramping up period as communicated by the Sheriff's Office.

The base contract continues through June 30, 2010 with up to three years of automatic renewal and is terminable upon 12 months written notice of either party. Charges are updated annually and are based on actual cost.

This beat increase results in the addition of seven (7) deputy positions, including two for traffic enforcement, one (1) captain and a full time clerical position. All full-time positions funded through the Queen Creek contract will be accounted for separately and will be subject to elimination with incumbents being reassigned to Sheriff's Office vacant positions should the contract be dissolved.

Also approve the purchase and addition to fleet of 3 SUVs.

Finally approve per A.R.S. §42-17106 an increase to the Sheriff's Office General Fund (100) FY 2008 revenue appropriation of \$613,165 (\$734,932 annualized) and expenditure appropriation of \$613,165(\$734,932 annualized) to accommodate the increased revenue and expense associated with this action. Intergovernmental Agreement revenues are not local revenues for purposes of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (ADM3101) (C5008010201)

S-2. AGREEMENT WITH ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR USE OF SPACE AT BUCKEYE HILLS RANGE COMPLEX AS EXPLOSIVE TRAINING FACILITY

Approve an Agreement between the Arizona Department of Homeland Security and the Maricopa County Sheriff's Office, for the 2007 Homeland Security Grant Program Award, number #333212-03 and acceptance of \$133,000 in grant funding. This funding is to prepare a space at the Buckeye Hills Range Complex as an explosive training facility. The Sheriff's Office indirect cost rate for FY08 is 11.7%. This is a construction project, there are no indirect costs associated with this grant. The term of this award is July 1, 2007 through July 31, 2009.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007-08 by \$66,500. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008537300)

S-3. AGREEMENT WITH ARIZONA DEPARTMENT OF HOMELAND SECURITY TO EXPAND FACIAL RECOGNITION CAPABILITIES

Approve an Agreement between the Arizona Department of Homeland Security and the Maricopa County Sheriff's Office, for the 2007 Homeland Security Grant Program Award, number #333212-02 and acceptance of \$264,450 in grant funding. This funding is to expand the Facial Recognition capabilities with specialized technology equipment. The Sheriff's Office indirect cost rate for FY08 is 11.7%. Unrecoverable indirect costs associated with this grant are estimated to be \$5,616. There will be capital equipment purchases that are excluded from the indirect cost calculation. The term of this award is July 1, 2007 through July 31, 2009.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007-08 by \$132,225. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C5008538300)

S-4. AGREEMENT WITH ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR MOBILE RADIO REPEATERS

Approve an Agreement between the Arizona Department of Homeland Security and the Maricopa County Sheriff's Office, for the 2007 Homeland Security Grant Program Award, number #333212-01 and acceptance of \$194,400 in grant funding. This funding is for the purchase of two (2) self-contained mobile radio repeaters. The Sheriff's Office indirect cost rate for FY08 is 11.7%. This a capital equipment purchase and is excluded from the indirect cost calculation. The term of this award is July 1, 2007 through July 31, 2009.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007/2008 by \$194,400. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the

expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C5008539300)

S-5. ACCEPT GRANT FUNDS FOR ENFORCEMENT OF IMMIGRATION RELATED MATTERS

Approve the acceptance of grants funds in the amount up to \$1,000,000 from the State of Arizona pursuant to House Bill 2779 "Legal Arizona Workers Act" through the Maricopa County Attorney's Office to enforce immigration related matters and the provisions of A.R.S. 23-212. The Board of Supervisors acknowledged receipt of these funds by the County Attorney on October 31, 2007 (C1908028300). The term of funding is January 1, 2008 through December 31, 2008. The Sheriff's Office FY 2008 indirect cost rate is 11.7%, the unrecoverable indirect costs are estimated to be \$117,000.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007-08 by \$500,000. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Approve the creation of 6 new deputy positions in the grant fund to be filled by experienced law enforcement personnel. Continuation of these positions is contingent upon continuation of the state funding and the Agreement with the County Attorney. When funding ceases, these positions will be deleted and individuals will be re-assigned according to established personnel policy.

Also, approve an addition to the fleet of 2 full size undercover vehicles estimated costs of \$92,782 that will be utilized for this enforcement. The estimated costs for these vehicles are \$5,000 annually to be funded by the General Fund (100). (ADM3101) (C5008540300)

Treasurer

S-6. REFUND TO JLK REAL ESTATE INVESTMENT CORP FOR A PREVIOUS PURCHASE OF PARCELS

Approve a refund per A.R.S. §42-18125 to JLK Real Estate Investment Corp in the amount of \$43,395.00 for the purchase of parcels 133-41-632, 159-25-005-T, 218-56-118-A and 218-56-247-B that were sold by the Board of Supervisors, conducted by Treasurer's Office at a tax-deeded land sale auction on December 7, 2006. This matter was discussed in Executive Session on December 3, 2007. (Subject to the review and approval of Legal and OMB) (C4308012000) (ADM656-2006)

General Government

S-7. ONE-TIME ADDITION TO FLEET

Approve the one time addition to the fleet of a 1998 Dodge Neon with 72,720 miles (fleet # 23803) to be utilized by General Government. The vehicle is valued at \$3,500. Funding for this vehicle is not applicable since the vehicle was deemed a surplus vehicle when turned into Equipment Services by the County Attorney for auction. Annual operating and maintenance costs are estimated at \$2,000 to be paid out of General Government Health Finance Administration. This vehicle is a one-time addition to the fleet that will be retired at the end of its' useful life with no funding from the General Fund for its replacement. A detailed cross-referenced list of vehicle identification numbers is kept on file with the Clerk of the Board. (C4508007M00) (ADM3101)

Environmental Services

S-8. SUBMISSION OF NOTICE OF INTENT TO DISCHARGE TO ADEQ FOR PHASE II SMALL MUNICIPAL SEPARATE STORMWATER SYSTEM GENERAL PERMIT

Approve the submittal of a Notice of Intent to Discharge (NOI) to the Arizona Department of Environmental Quality (ADEQ) for a Phase II Small Municipal Separate Stormwater System General Permit and authorize the preparation of an application for an Individual Permit under provisions of the Federal Clean Water Act as adopted by the State of Arizona. The General Stormwater permit and subsequently the Individual Stormwater permit will provide Maricopa County as the permittee, coverage for stormwater discharges from portions of Maricopa County to the Waters of the United States. In accordance with the permit, the County will update its Stormwater Management Program designed to minimize surface water pollution caused by stormwater. The County has already provided a Stormwater Management Plan to ADEQ on March 10, 2003 for their review. This matter was discussed in Executive Session on December 13, 2007. (C8808004000)

SETTING OF HEARINGS

~All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted~

Planning and Development

S-9. CASES

Schedule Planning and Development public hearings on zoning cases and other matters for 11:00 a.m., January 2, 2008. (List is on file in the Clerk of the Board's office) (F23252)

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STADIUM DISTRICT AGENDA

SS-1. AMENDMENT TO FACILITY DEVELOPMENT AGREEMENT AND RELATED USE AGREEMENTS

Approve the "Eighth Amendment to the Facility Development Agreement and Related Use Agreements" between the Maricopa County Stadium District and the following Arizona Diamondbacks Major League Baseball Team related entities: (sometimes collectively referred to as the "Team Entities"): AZPB Limited Partnership (the "Team"), a Delaware limited partnership; AZPB FM Limited Partnership (the "Facility Manager"), a Delaware limited partnership; AZPB REM limited partnership (the "Real Estate Manager") a Delaware limited partnership. This amendment allows the District to assign its Day Use responsibilities to the District's booking manager for events at Chase Field. The District will share in the revenues received from Day Uses pursuant to the formula set forth in the Booking Manager Services Contract (Serial 03206-RFP).

Under the agreements with the Team Entities, the District deposits fifty percent of its annual net revenues into the long term project reserve account established for maintaining the facility.

In addition, the District Board has before it two other agenda items for agreements that should be considered simultaneously with this item because these two items are integrally related: The "Assignment of Day Use Responsibilities and Amendment to Booking Manager Services Contract"; and the "Amendment to Plywood Letter Agreement." Approval of this item granting the District the authority to assign its Day Use rights is a necessary prerequisite for the approval of these other two items. (C7898053109) (C6772)

SS-2. ASSIGNMENT OF DAY USE RESPONSIBILITIES AND AMENDMENT TO BOOKING MANAGER SERVICES CONTRACT WITH SMG/SAA VENTURES, LLC

Approve the "Assignment of Day Use Responsibilities and Amendment to Booking Manager Services Contract," (Serial 03206-RFP), between SMG/SAA Ventures, LLC (the "Booking Manager") and the Maricopa County Stadium District (the "District"). An agreement concurrently before the District Board for consideration, the "Eighth Amendment to the FDA and the Related Use Agreements," authorizes the District to assign its rights to book and conduct Day Uses at Chase Field to the District's booking manager, currently SMG/SAA Ventures, LLC (the "Booking Manager"). This Assignment amends the Booking Manager Services Contract to add these services to effect this assignment, as permitted under Section 4.5, and provides that gross revenues earned by the Booking Manager through Day Uses are subject to revenue sharing with the District as set forth in the Assignment and the Booking Manager Services Contract. (Subject to the review and approval of Legal, OMB, and Materials Management) (C6805007101) (C6792)

SS-3. AMEND PLYWOOD LETTER AGREEMENT WITH SMG/SAA VENTURES, LLC

Approve as Amendment No. 1 the "Amendment to Plywood Letter Agreement" between SMG/SAA Ventures, LLC (the "Booking Manager") and the Maricopa County Stadium District (the "District"). In this amendment, the Booking Manager agrees to give up its rights relating to Day Uses granted in the Letter Agreement as partial consideration for the benefit it receives under another agreement (C6808009M00) concurrently before the District Board, the "Assignment of Day Use Responsibilities and Amendment to Booking Manager Services Contract" in which the Booking Manager is assigned the District's rights to conduct Day Uses at Chase Field. This does not change the Booking Manager's rights, duties, and responsibilities regarding the plywood under the Letter Agreement, which continues in effect as amended. (C6792) (C6806002001)

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Revisions

Planning and Development

43. AMEND AGREEMENT WITH ORIGINAL LANDFILL AIRSPACE CITY OF SURPRISE AND WASTE MANAGEMENT RELATED TO NORTHWEST REGIONAL LANDFILL ORIGINAL LANDFILL AIRSPACE

Approve and execute Amendment No. 1 to Agreement (agenda item C67960312) between the City of Surprise, Waste Management Arizona Landfills, Inc a Delaware corporation formerly known as (fka) USA Waste Arizona Landfills, Inc., fka Sanifill of Arizona, Inc., and Maricopa County, to allow the height of 120 feet for the Northwest Regional Landfill and allow a disposal capacity consistent with the Original Landfill Airspace, as permitted by the original Special Use Permit approved by the Board on July 22, 1996. (F22338) (C4408010000) (C6796031200)